

## REMARKS

This paper is in response to the Office Action mailed September 10, 2003.

In the specification, the paragraph on page 3, lines 9-18, has been amended to insert the serial number of the referenced patent application.

Claims 1-13 and 16 are pending in this patent application. Claim 1 has been amended to correct the antecedent reference in the preamble. Claim 6 has been amended. Support for the amended limitations of Claim 6 may be found in original Claims 14 and 15, and in the specification at least at page 6, lines 16-21. Claims 14 and 15 have been canceled.

### **Rejection Under 35 USC 102(b)**

Claims 1-16 were rejected as being anticipated under 35 USC 102(b) by Robert Rachlin's "Handbook of Budgeting" (hereinafter "Rachlin"). This rejection is traversed for the reasons noted below.

**With regard to Claim 1,** Claim 1 recites "inputting said costs and information into a computer program to determine the cost for each user." This limitation is not disclosed or suggested by Rachlin.

For this limitation, the Examiner cites to Rachlin, page 29.11, exhibit 29.6. This list provides an example of different items to consider in performing a Total Quality Management audit. As explained by Rachlin:

The business audit involves the review and analysis of business characteristics and the effectiveness of the organization. This involves three types of business indicators: Financial, organizational, and performance against industry benchmarks. Examples of these audit items are listed Exhibit 29.6. This audit

provides critical information on organizational effectiveness and ability to take on challenges of a TQM program.  
(Rachlin, page 29.10, second full para.)

Applicants submit that the cited portion of Rachlin, while it refers to financial indicators generally, does not disclose determining the cost for each user of the information technology system. Therefore, Claim 1 is not anticipated by Rachlin.

**With regard to Claim 5**, Claim 5 recites: "the cost for each user is broken down according to said information technology function." This limitation is not disclosed or suggested by Rachlin.

For this limitation, the Examiner cites to Rachlin, page 17.1, paragraph 3, "expense data are often tracked by cost per payment or annual cost per employee paid." This reference in Rachlin relates to the budgeting of payroll costs.

Applicants submit that this cited portion of Rachlin relates to not to user costs of an information technology system, but to payroll processing costs. Applicants also submit that this cited portion of Rachlin does not disclose breaking down costs according to the performed information technology function. Therefore, Claim 5 is not anticipated by Rachlin.

**With regard to Claim 6**, Claim 6 is directed to a method for analyzing costs associated with supporting an information technology system. Currently amended Claim 6 recites: "assigning each of said appraisal metrics and said cost information to correspond to an information technology organizational function category, wherein the organizational function category comprises service management; systems management; service planning and change management; . . .; and providing the

appraisal metrics and cost information in separate reports for the organizational function categories." This limitation added to Claim 6 is not disclosed or suggested by Rachlin.

For this limitation, which was supported in part by original Claims 14 and 15, the Examiner cited to Rachlin, page 17.15, exhibit 17.12, "on-line validation, employee on-line entry of data, automated exception reporting of time, access to on-line information by employees." According to Rachlin, this exhibit relates to understanding differentiators and work-load drivers that may affect payroll costs. "As illustrated in Exhibit 17.12, this understanding can be facilitated categorizing information into types of differentiators and work-load drivers." (Rachlin, page 17.14, para. (c), lines 3-5).

Applicants submit that this cited portion of Rachlin relates to payroll processing and not to costs associated with supporting an information technology system, as recited in the preamble of Claim 6. Moreover, Rachlin does not disclose assigning the costs and metrics to different IT organizational function categories and providing separate reports for the different categories. Therefore, currently amended Claim 6 is not anticipated by Rachlin.

**Claims 2-5** are dependent on Claim 1 and, therefore, are also allowable for the reasons noted above with regard to Claim 1.

**Claims 7-13 and 16** are dependent on Claim 6 and, therefore, are also allowable for the reasons noted above with regard to Claim 6.

## **CONCLUSION**

Applicants respectfully submit that the pending claims are in form for allowance in view of the amendments for the reasons noted above. Should the Examiner feel a

discussion would expedite the prosecution of this application, the Examiner is kindly invited to contact the undersigned:

Respectfully submitted,



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